

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No: 1:11-cr-20

v

HON. JANET T. NEFF

GILBERTO PENA,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties, and no objection has been made thereto within the time required by law.

THEREFORE, IT IS ORDERED that:

1. The Report and Recommendation of the Magistrate Judge (Dkt 41) is approved and adopted as the opinion of the Court.
2. Defendant's plea of guilty is accepted and defendant is adjudicated guilty of the charges set forth in Count One of the Indictment.
3. The written plea agreement is hereby continued under advisement pending sentencing.

Dated: April 12, 2011

/s/Janet T. Neff  
JANET T. NEFF  
UNITED STATES DISTRICT JUDGE